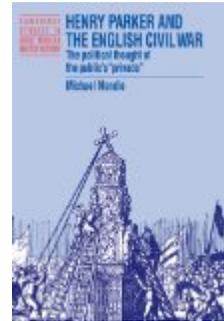


Michael Mendle. *Henry Parker and the English Civil War: The Political Thought of the Public's "Privado"*. Cambridge: Cambridge University Press, 1995. xx + 204 pp. £35.00 (cloth), ISBN 978-0-521-48227-1.

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Henry Parker and English Political Thought in the 1640s

Henry Parker has long been recognized as the most original and hard-headed of the propagandists who defended the legitimacy of parliament's war with Charles I during the first Civil War. Until now, that recognition has not won for Parker's writings the close attention that they deserve. Michael Mendle's book goes a long way to remedy this situation. It establishes with careful and cogent argument a "canon" of Parker's writings, and subjects each of them to analysis. Parker was a reactive writer, who often wrote responses to some pamphlet or declaration that irritated him. Mendle carefully examines the occasion of each piece of writing, and provides an account of the tracts which Parker replied to as well as a succinct and critical analyses of Parker's own works. There can be no doubt that Mendle's work is now *the* work to read on Parker. It fully supersedes the only other book-length study, Wilbur K. Jordan's flawed *Men of Substance: A Study of the Thought of Two English Revolutionaries, Henry Parker and Henry Robinson* (1942). There are still valuable, brief accounts of Parker—notably those of Margaret Judson and Robert Zaller, but Mendle's work is on an altogether larger scale.

Not the least attractive feature of Mendle's writing is its modesty. He portrays his study of Parker as an "elementary" one, providing a basic outline, and invites other scholars to build on the foundations that he has laid. As a result, his book has an attractive air. It is always polite in its disagreements, and conveys a strong sense that scholarship is, whether we like it or not, a collaborative enterprise. Conclusions are always provisional, a fact that

Mendle is careful never to forget. Modesty thus engagingly sets the tone of the work; yet, in other ways, it is fair to say that Mendle has nothing he *needs* to be modest about. His account of Parker, placed deftly against the background of the vibrant and volatile print-culture of Civil-War England, shows a high level of learning and insight, from which we can all learn much.

The Parker that emerges from Mendle's account is a figure whose thought is characterised by absolutism, the development of a theory of bicameral parliamentary sovereignty, and (until after 1646) the institution of a parliament which functions as a council. Parker co-opted the absolutist arguments used, for example, to justify Charles I's right to ship money, and applied them to the authority of parliament. These features make Parker almost a lone voice amongst parliamentary propagandists. Mendle is able to show that Parker's writings echo at least some themes in parliamentary declarations of 1642-1643, and provide a theoretical justification for the two Houses's attempts to govern by ordinance. But few of the other parliamentary writers of note (Charles Herle, William Prynne, Philip Hunton) have thoughts similar to Parker's. Most of them were concerned about supporting limited government and the rule of law. Some of them (notably Hunton) were obviously troubled by the need for the two Houses to take extraordinary steps in the face of the breakdown of the ancient constitution; Parker, by contrast, gave the rule of law and limited government short shrift, and enthusiastically embraced parliamentary absolutism.

There were tensions within Parker's thinking. The most interesting of these is that, while erecting his parliamentary absolutism, Parker remained deeply wedded to the idea of the royal supremacy over the church, and was able to criticise the Arminian bishops for their encroachment on royal authority. In this guise, Parker interestingly drew on Hooker's still unpublished Book 8, *Of the Laws of Ecclesiastical Polity*, and its notion of consent. He used it to finally reconcile his support for parliament against the king, with his erastian views about the place of the church. In portraying a parliamentary royal supremacy, based on popular consent, Parker was exploiting tensions within the English church-state that went back to the 1530s and Christopher St. German.

What attention Parker has received has been mostly focused on his earlier writings, and especially on his best known tract, *Observations Upon Some of His Majesty's Late Answers and Expresses* (1642). Mendle himself devotes three chapters (of eight) to that tract, the responses to it, and Parker's self-defences. *Observations* remains the pamphlet that defines the core of Parker; everything else is evidence either of the formation of this core, or of its dissipation. (One might ask, of course, whether this is a distorting perspective, created by the run-away success of one pamphlet, in itself no more indicative of the "real" Parker than any other.) Nonetheless, it is a very welcome feature of Mendle's book that it gives balanced attention to all of Parker's writings, even those most obviously written for a particular employer or patron. Two of these more specific writings—one on free trade, written for the Merchant Adventurers (1648) and Parker's defence of the Stationers' Company (1643)—are of considerable theoretical interest, and may well tell us something about the way in which Parker thought of "liberty." But equally interesting is the account of Parker's attack on John Lilburne (1650) and the other immediately pre- or post-regicide writings, in which we find Parker drawing upon various untypical and sometimes incompatible themes (providence, the ancient constitution, the Norman Yoke) as he struggled to hold together the framework of ideas that he had put together in the first Civil War.

Incisive, clear and well-argued as it is, Mendle's interpretation of Parker—especially of the Parker revealed in the *Observations*—is nevertheless not beyond all doubting. The queries that I intend now to raise arise more from the conceptual and methodological framework that Mendle employs than from his readings of Parker. I want to focus my remarks on four things: absolutism, sovereignty, parliament and the broader matter of the coherence of

Parker's thought.

Was Parker a "parliamentary absolutist?" The answer, of course, depends very much on what we are willing to count as absolutism. Mendle has himself addressed this problem elsewhere.^[1] Mendle's concept of "casuistical absolutism" is based on the idea that Charles I's propagandists developed a case-by-case justification for absolutism which relied upon invoking the king's absolute power to act contrary to the law in situations of *necessity*. This power was effectively immune from challenge and restraint in whatever circumstances it was employed, because the king was the sole judge of when a situation of necessity existed. It was this sort of absolutist argument that Parker used to justify parliament's actions in 1642.

But there are problems. The least important may be that this is not what historians generally take the term "absolutism" to refer to. It is rather different from the "regular" absolutism defended by Bodin, Filmer or Hobbes. More importantly, Mendle's way of looking at the matter does not do justice to the way in which Charles I's officials were able to appeal to conventional unabsolutist values, or to the way in which appeals to necessity were perfectly acceptable when used responsibly. Mendle examines the arguments of ship money judges most closely, but they may not be a good guide to either the self-understanding of Charles I and his ministers or to the thinking of critics of royal policy. All of this leads to a question: Mendle suggests that Parker's thought neatly mirrors that of the Caroline absolutists. But was not Parker actually much less concerned with paying respects to legal niceties than Charles I, and more willing to envisage a regular absolute (or, in his preferable word, "arbitrary") authority in the state than were early Stuart royalists? The emergency circumstances of 1642 made that authority more visible. If this is correct, then Parker was a more creative thinker (at least, in an English context) than Mendle's account of his intellectual formation would suggest. I am not sure, however, that the label "absolutist" captures that creativity. We claim significance for our subjects by making them the mouthpieces of "big" themes like absolutism; but Parker has a peculiarity and an ambiguity that defies easy labelling.

Closely linked to the question of absolutism is the question of sovereignty. Mendle, following a path-breaking essay of 1936 by Margaret Judson, attributes a theory of absolute bicameral parliamentary sovereignty to Parker. He devotes little time, however, to defining what is meant by sovereignty. The most revealing comment occurs in a footnote (p. 34): "Parker's embrace of

some form of parliamentary sovereignty has been widely appreciated ... Some scholars who see legislation as the ultimate test of sovereignty dissent from this view ... The error is that Parker himself regarded legislation as inferior to counsel.” I have difficulty in accepting this solution, which attributes to Parker a theory of bicameral parliamentary sovereignty in spite of the fact that he was not particularly interested in law-making, and accepted that legislative sovereignty normally resided in king-in-parliament. This argument can easily become circular. We are only interested in sovereignty in the past –and one of the great parlour games amongst historians of political thought is deciding who does and who does not possess a theory of sovereignty–because it is a distinctive and important component of some nineteenth and twentieth century theories of law (and, much more ambiguously, theories of politics). The search for the anticipators of these modern notions–sovereignty and the command theory of law–is one of those Whiggish and incipiently proleptic exercises that many are keen to condemn. Be that as it may, unless you use the definition of sovereignty found in these modern theories, there is not much point in playing the game at all. And sovereignty, as a term in political theory and jurisprudence, even as a term employed by historians, *means* legislative sovereignty. Of course, the term sovereign was used much more widely in the seventeenth century (which is why employment of the word is not taken as a sign that someone was a theorist of sovereignty). But to say that someone has a theory of sovereignty simply on the ground that they talk of some arbitrary supreme power in the state, even though it is not the locus of law-making power in normal circumstances, seems misleading.

Mendle is right that Parker was interested more in counsel than in law-making. He was also more interested in legal interpretation and in executive power. All of this seems to provide a good reason *against* crediting him with a theory of sovereignty, unless we wish to confuse ourselves both about what Parker said and about the genealogy of modern notions of sovereignty. Parker’s political thought was crafted to fit some peculiar circumstances. He drew on resources available to him, and he invented what was not available; but I do not see that labelling him either an absolutist or a theorist of sovereignty makes his intellectual formation and character clearer to us. Indeed, because of the way those terms are used in the contemporary discourse of historians, such labels actively mislead.

My third concern is also closely associated with the

other two. Parker, for all his startlingly original clear-sightedness, drew on many ideas that he found around him. His conception of the nature of parliament is an obvious example of this sort of borrowing. Mendle argues strongly that Parker viewed parliament as a Great Council, and was interested primarily in theorising its councilor functions and identity. This was a particularly fertile way of defending the assumption of executive authority by the two Houses. There is no doubt a good deal of truth in this; but is it as close to the whole truth as Mendle implies? Mendle recognizes that there were at least three contemporary perceptions of parliament: it could be seen as a council, as a law court, and as a representative assembly with tax-imposing and law-making powers. I agree that the third of these, most important for us, may have been the least important in the early 1640s (which is why sovereignty was not then at issue). But Parker, in *Observations* (pp. 42-45), certainly made clever use of the idea that parliament was a court of law. This position enabled him to show why the two Houses should continue to act contrary to the king’s personal commands. MPs, like common-law judges, had a duty to render justice regardless of the king’s attempts to interfere (a duty that Francis Bacon, for example, had recognized in 1610). Parker was not alone. Other parliamentarian propagandists, including William Bridge and William Prynne, used the same analogy between parliament and the law courts for much the same purpose. The idea that parliament was a court, giving judgment about what the law decreed, was, in a looser sense, built in to much of the language with which its actions were defended. It would be no surprise to discover that Parker differed from other parliamentarians on this issue; but I am, in fact, not yet persuaded that he did so to the degree that Mendle implies.

Finally, in his conclusion Mendle explores the mixture of inconsistency and commitment to certain core values in Parker’s writing. It is Mendle’s considerable achievement to have begun this exploration and to have implied the existence of these future paths. This suggestive discussion points to two ways in which we might now move the discussion of Parker and his context forward. The first would consist in a fuller exploration of Parker, the *writer*. Mendle has already done much to capture the peculiarities of a decade that was soon to produce the first English “journalist” (in, one is almost tempted to say, its pejorative sense), Marchamont Nedham. But much remains to be learnt about the pressures, ideological and other, on the polemicists of the period, about their attempts to control reader-response, and about their target-

audiences. As Mendle is aware, inconsistency can be a virtue in a propagandist. But— and again Mendle is aware of this—there is a countervailing approach, through what we might call conceptual history. Historians like J.C. Davis and William Lamont, for example, have explored what the concept of “liberty” meant in the 1640s, and the ways in which it differed from our present sense of the term. The “inconsistency” of a figure like Parker is as likely to come from the assumption that, as a “man of substance,” he was engaged in a struggle for “liberty” in our sense rather than in his sense. The only way of avoiding this problem, which has affected the study of a most political writers of the English Revolution (including Milton), is through the construction of careful conceptual maps for the seventeenth century. It is certainly not the least of Mendle’s achievements that he has contributed substantially to this task.

Michael Mendle has written a succinct and clear ac-

count of Parker’s political thought, placing it firmly in the pamphleteering context of the 1640s. It should be read by all historians working in the field. Furthermore, its clarity and intriguing claims for Parker’s “absolutism” should make it both accessible and stimulating to advanced undergraduates. It is perhaps the most important tribute to make to a work of scholarship, when it initiates debates that will continue for some time. This one has.

Notes:

[1]. In “Parliamentary Sovereignty: A Very English Absolutism,” ch. 5 in Nicholas Phillipson and Quentin Skinner, eds. *Political Discourse in Early Modern Britain*. Cambridge, 1993.

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